

OFFICIAL GAZETTE

GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN AND DIU

Department of Personnel and Administrative Reforms

Notification

1/19/74-PER. Vol. II

In exercise of the powers conferred by the proviso to article 309 of the Constitution, read with the Government of India, Ministry of External Affairs Notification No. F.7(11)/62-Goa dated 25-7-1963 and Ministry of Home Affairs Notification No. F.1/29/68-GP dated 29-6-1968, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules relating to recruitment to Group 'A' and Group 'B' Gazetted posts in the Office of the Captain of Ports under the Government of Goa, Daman and Diu.

1. Short title.—These rules may be called Government of Goa, Daman and Diu, Office of the Captain of Ports, Group 'A' and Group 'B' Gazetted posts Recruitment rules, 1981.

2. Application.—These rules shall apply to the posts specified in column 1 of the Schedule to these rules.

3. Number, classification and scales of pay.—The number of posts, classification of the said posts and the scales of pay attached thereto shall be as specified in column 2 to 4 of the said Schedule.

4. Method of recruitment, age limit and other qualifications.—The method of recruitment to the said posts, age limit, qualifications and other matters connected therewith shall be as specified in columns 5 to 13 of the aforesaid Schedule.

5. Disqualification.—No person (1) who has entered into or contracted a marriage with a person having a spouse living; or (2) who, having a spouse living, has entered into or contracted a marriage with any person, shall be eligible for appointment to the service; provided that the Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for so doing, exempt any person from the operation of this rule.

6. Power to relax.—Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing and in consultation with the Union Public Service Commission, relax any of the provisions of these rules with respect to any class or category of persons.

7. Saving.—Nothing in these rules shall affect reservations, relaxation of age-limit and other concessions required to be provided for Scheduled Castes and Scheduled Tribes and other special categories of persons in accordance with the orders issued by the Central Government from time to time in this regard.

8. These rules will come into effect from the date of the Notification and will relate to appointments to the various posts made on or after this date.

9. These rules are issued in supersession of the recruitment rules existing for the posts and with the approval of the Union Public Service Commission, granted vide their letter No. F.3/29(8)/79-RR dated 26-2-1981.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).

Panaji, 5th May, 1981.

Name of the post	No. of posts	Classification	Scale of pay	Whether selection post or non-selection post	Age limit for direct recruits	Whether benefit of added years of service admissible under rule 30 of the C. C. S. (Pension) Rules, 1972	Educational and other qualifications required for direct recruits	Whether age & Educational Qualifications prescribed for the direct recruit will apply in the case of promotees	Period of probation if any	Method of recruitment whether by direct recruitment or by deputation/transfer and percentage of the vacancies to be filled by various methods	In case of recruitment by promotion/deputation/transfer, grades from which promotion/deputation/transfer is to be made	If a D.P.C. exists, what is its composition	Circumstances in which Union Public Service Commission is to be consulted in making recruitment
1	2	3	4	5	6	6(a)	7	8	9	10	11	12	13
1. Hydro-graphic Surveyor.	1	General Central Service Group 'A' Gazetted.	Rs. 1100-50-1600.	Not applicable.	Not exceeding 40 years (Relaxable for Govt. Servants).	No.	<p>Essential:</p> <p>i) Degree in Civil Engineering of a recognised University or equivalent.</p> <p>OR</p> <p>A pass in the final examination in Hydrographic Surveying of the Institution of Surveyors (India) or equivalent.</p> <p>ii) 5 years' practical experience in hydrographic survey.</p> <p>Note: 1. Qualifications are relaxable at the discretion of the U.P. S.C. in case of candidates otherwise well qualified.</p> <p>Note: 2. The Qualification(s) regarding experience is/are relaxable at the discretion of the U.P.S.C. in the case of candidates belonging to Scheduled castes and Scheduled Tribes if, at any stage of selection, the U.P. S.C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p> <p>Desirable:</p> <p>i) Knowledge of Konkani/Marathi.</p>	Age: No Educational Qualification: Yes.	2 years	By promotion/transfer on deputation (including short-term contract) failing which by direct recruitment.	<p>Promotion/transfer on deputation (including short-term contract):</p> <p>1. a) Officers from the Central/State Governments/Union Territories/Universities/Recognised Research Institutions/Public Sector Undertakings/Statutory, Semi-Government or Autonomous Organisations: —</p> <p>i) holding analogous posts; or</p> <p>ii) with 5 years' of service in posts in the scale of Rs. 700-1300 or equivalent; or</p> <p>iii) with 8 years' service in posts in the scale of Rs. 650-1200 or equivalent; and</p> <p>b) possessing the educational qualifications and experience laid down for direct recruits under Column 7.</p> <p>2) The departmental Deputy Hydrographic Surveyor with 5 years' regular</p>	<p>Group 'A' D.P.C. (for considering confirmation).</p> <p>1. Chief Secretary—Chairman.</p> <p>2. Administrative Secretary—Member.</p> <p>3. Head of Department—Member.</p> <p>Note: The Proceedings of the D.P.C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D.P.C. to be presided over by the Chairman or a Member of the U.P.S.C. shall be held.</p>	Selection on each occasion shall be made in consultation with the Union Public Service Commission. Consultation with the Union Public Service Commission also necessary while amending/relaxing any of the provisions of these rules.

ii) Experience in Dredging Master.

18TH JUNE, 1981 (JYAISTHA 28, 1903)

2. Deputy Hydrographic Surveyor.	1	— do —	Rs. 700-40-900-EB-40-1100-50-1300.	— do —	Not exceeding 35 years (Relaxable for Govt. Servants).	— do —	Essential:	— do —	— do —	— do —	Promotion/transfer on deputation (including short-term contract):	— do —	— do —
					Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).		1) Degree in Civil Engineering of a recognised University or equivalent. OR A pass in the final examination in Hydrographic Surveying of the Institution of Surveyors (India) or equivalent. ii) 3 years' practical experience in hydrographic survey. Note: 1. Qualifications are relaxable at the discretion of the U. P. S. C. in case of candidates otherwise well qualified. Note: 2. The Qualification(s) regarding experience is/are relaxable at the discretion of the U. P. S. C. in the case of candidates belonging to Scheduled castes and Scheduled Tribes if, at any stage of selection, the U. P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them. Desirable: Knowledge of Konkani/Marathi.				1) (a) Officers from the Central/State Governments/Union Territories/Universities/Recognised Research Institutions/Public Sector Undertakings/Statutory, Semi-Government or Autonomous Organisations: — i) holding analogous posts; OR ii) with 3 years' service in posts in the scale of Rs. 650-1200 or equivalent; OR iii) with 5 years' service in posts in the scale of Rs. 550-900 or equivalent; and b) possessing the educational qualifications and experience laid down for direct recruits under Column 7. 2) The departmental Assistant Hydrographic Surveyor with 3		

service in the grade will also be considered and in case he is selected for appointment or the post, the same shall be deemed to have been filled by promotion.
(Period of deputation/contract shall ordinarily not exceed three years).

years' regular service in the grade will also be considered and in case he is selected for appointment to the post, the same shall be deemed to have been filled by promotion.

(The period of deputation/contract shall ordinarily not exceed three years').

3. Assistant Hydrographic Surveyor.	1	General Central Service Group 'B' Gazetted.	Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200.	Not applicable.	Not exceeding 30 years (Relaxable for Govt. Servants).	No.	Essential:	Not applicable.	2	By direct recruitment.	Not applicable.	Group 'A' D. P. C. (for considering confirmation).	Consultation with the Union Public Service Commission necessary while making direct recruitment and amending/relaxing any of the provisions of these rules.
					<i>Note:</i> The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).		<p>i) Degree in Civil Engineering of a recognised University or equivalent.</p> <p>OR</p> <p>A pass in the final examination in Hydrographic Surveying of the Institution of Surveyors (India) or equivalent.</p> <p>ii) One year's practical experience in Hydrographic survey.</p> <p><i>Note:</i> 1. Qualifications are relaxable at the discretion of the U. P. S. C. in case of candidates otherwise well qualified.</p> <p><i>Note:</i> 2. The Qualification(s) regarding experience is/are relaxable at the discretion of the U. P. S. C. in the case of candidates belonging to Scheduled castes and Scheduled Tribes if, at any stage of selection, the U. P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.</p>					<p>1. Chief Secretary—Chairman.</p> <p>2. Administrative Secretary—Member.</p> <p>3. Head of Department—Member.</p> <p><i>Note:</i> The Proceedings of the D. P. C. relating to confirmation shall be sent to the Commission for approval. If, however, these are not approved by the Commission a fresh meeting of the D. P. C. to be presided over by the Chairman or a Member of the U. P. S. C. shall be held.</p>	

Desirable:
Knowledge of Konkani/
/Marathi.

4. Marine Engineer	1	General Central Service Group 'A' Gazetted.	Rs. 1200-50-1500-60-1800.	-- do --	Not exceeding 45 years (Relaxable for Govt. Servants).	-- do --	<i>Essential:</i>	-- do --	-- do --	-- do --	-- do --	-- do --	-- do --
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Note: The crucial date for determining the age limit shall be the closing date for receipt of applications from candidates in India (other than those in Andaman and Nicobar Islands and Lakshadweep).

i) Ist Class Engineer's Certificate of Competency.

ii) 5 years' service at sea of which one year must have been as Chief Engineer or Second Engineer.

Note: 1. Qualifications are relaxable at the discretion of the U. P. S. C. in case of candidates otherwise well qualified.

Note: 2. The Qualification(s) regarding experience is/are relaxable at the discretion of the U. P. S. C. in the case of candidates belonging to Scheduled castes and Scheduled Tribes if, at any stage of selection, the U. P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Desirable:

Extra Ist Class Engineers' Certificate of Competency.

5. Dredging Master	1	-- do --	-- do --	-- do --	-- do --	-- do --	<i>Essential:</i>	-- do --	-- do --	-- do --	-- do --	-- do --	-- do --
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i) Certificate of Competency as Master (F. G.)

ii) 5 years' service at sea of which one year must have been as Master or Chief Officer.

Note: 1. Qualifications are relaxable at the discretion of the U. P. S. C. in case of candidates otherwise well qualified.

Note: 2. The Qualification(s) regarding experience is/are relax-

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able at the discretion of the U. P. S. C. in the case of candidates belonging to Scheduled castes and Scheduled Tribes if, at any stage of selection, the U. P. S. C. is of the opinion that sufficient number of candidates from these communities possessing the requisite experience are not likely to be available to fill up the vacancies reserved for them.

Desirable:

- i) Extra Master's Certificate of Competency.
- ii) Experience in command of F. G. Ships.

Notification

1/4/80-PER

In exercise of the powers conferred by the proviso to article 309 of the constitution, read with the Government of India, Ministry of External Affairs Notification No. F. 7(11)/62-Goa dated 25-7-1963, the Lt. Governor of Goa, Daman and Diu is pleased to make the following rules amending the "Government of Goa, Daman and Diu, common cadre of Light Vehicle Driver and Heavy Vehicle Driver, Group 'C' Non-Ministerial, non-gazetted posts Recruitment Rules, 1980" issued under notification No. 1/4/80-PER(ii) dated 10-9-1980, published in the Official Gazette No. 27, Series I dated 3-10-1980.

1. *Short title and commencement:* — (i) These rules may be called Government of Goa, Daman and Diu, common cadre of Light Vehicle Driver and Heavy Vehicle Driver, Group 'C', non-ministerial, non-gazetted posts recruitment (First amendment) Rules, 1981.

(ii) They shall come into force at once.

2. In the body of the notification after the sub-rule 4(C), following sub-rule viz 4(d) shall be added: —

4(d) Power to relax.

Where the Government is of the opinion that it is necessary or expedient so to do, it may, by order, for reasons to be recorded in writing, relax any of the provisions of these rules in respect of the existing work charged drivers in the P. W. D. and the Electricity Department.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

G. H. Mascarenhas, Under Secretary (Personnel).
Panaji, 11th June, 1981.

Finance Department (Revenue and Control)

Notification

5-2-78/Fin(R&C)

In exercise of the powers conferred by sub-section (5) of section 8 of the Central Sales Tax Act, 1956 (Central Act 74 of 1956), the Lieutenant Governor of Goa, Daman and Diu hereby makes the following amendment in the Government Notification No. 5-2-78/Fin(R&C) dated 11-3-1980, namely: —

In the said Notification, for the words and figures "One year" and "28-3-1981", the words and figures "two years" and "28-3-1982" shall be substituted.

By order and in the name of the Lieutenant Governor of Goa, Daman and Diu.

A. P. Pawvelkar, Under Secretary (Finance).

Panaji, 11th June, 1981.

Law Department (Legal Advice)

Notification

7/1/80-LGL

The following Central Acts namely: 1) The Mica Mines Labour Welfare Fund (Amendment) Act, 1980 (51 of 1980); 2) The Dock Workers (Regulation of Employment) Amendment Act, 1980 (49 of 1980); 3) The Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Act, 1980 (52 of 1980); 4) The Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1980 (No. 61 of 1980) which were recently passed by the Parliament and assented to by the President of India on 3-12-1980, 29-11-1980, 3-12-1980 and 22-12-1980 respectively and published in the Gazette of India, Part II, Section I dated 4/12, 1/12, 4/12 and 22/12/1980 respectively are hereby republished for general information of the public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 12th February, 1981.

The Mica Mines Labour Welfare Fund (Amendment) Act, 1980

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ACT

further to amend The Mica Mines Labour Welfare Fund Act, 1946.

Be it enacted by Parliament in the Thirty-first Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Mica Mines Labour Welfare Fund (Amendment) Act, 1980.

2. *Amendment of section 6.*—In section 6 of the Mica Mines Labour Welfare Fund Act, 1946, after sub-section 22 of 1946. (2), the following sub-section shall be inserted, namely:—

“(3) Every rule made by the Central Government under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.”.

The Dock Workers (Regulation of Employment)

Amendment Act, 1980

AN

ACT

further to amend the Dock Workers (Regulation of Employment) Act, 1948.

Be it enacted by Parliament in the Thirty-first Year of the Republic of India as follows:—

1. *Short title.*—This Act may be called the Dock Workers (Regulation of Employment) Amendment Act, 1980.

2. *Amendment of section 3.*—In section 3 of the Dock Workers (Regulation of Employment) Act, 1948 (hereinafter referred to as the principal Act), after clause (f) of sub-section (2), the following clause shall be inserted and shall be deemed always to have been inserted, namely:—

“(ff) for creating such fund or funds as may be necessary or expedient for the purposes of the scheme and for the administration of such fund or funds;”.

3. *Validation.*—Every fund created or purporting to have been created and every provision with respect thereto made or purporting to have been made under the principal Act before the commencement of this Act shall, for all purposes, be deemed to be, and to have always been, as validly and effectively created or made as if the provisions of section 3 of the principal Act, as amended by this Act, had been in force at all material times and accordingly, notwithstanding any judgment, decree or order of any court,—

(a) all contributions to any such fund received or collected before the commencement of this Act shall be deemed to be and shall be deemed always to have been as validly received or collected as if the provisions of section 3 of the principal Act, as amended by this Act, were in force at all material times;

(b) no suit or other proceeding shall be maintained or continued in any court for the refund of, and no enforcement shall be made by any court of any decree or order directing the refund of, any such contribution which had been received or collected and which would have been validly received or collected if the provisions of section 3 of the principal Act, as amended by this Act, had been in force at all material times;

(c) recoveries shall be made of all contributions to any such funds which have not been received or collected but which would have been received or collected if the provisions of section 3 of the principal Act, as amended by this Act, had been in force at all material times.

Explanation.—For the removal of doubts it is hereby declared that no act or omission on the part of any person, before the commencement of this Act, shall be punishable as an offence which would not have been so punishable if this Act had not come into force.

4. *Amendment of section 8.*—Sub-section (3) of section 8 of the principal Act shall be omitted.

5. *Insertion of new section 8A.*—After section 8 of the principal Act, the following section shall be inserted, namely:—

“8A. *Schemes and rules to be laid before Parliament.*—Every scheme and every rule made under this Act by the Central Government shall be laid,

as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the scheme or rule or both Houses agree that the scheme or rule should not be made, the scheme or rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that scheme or rule."

The Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Act, 1980

ARRANGEMENT OF SECTIONS

Sections

1. Short title and commencement.
2. Declaration of the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, as an institution of national importance.
3. Definitions.
4. Incorporation of Institute.
5. Composition of Institute.
6. Term of office of and vacancies among members.
7. President of Institute.
8. Allowances of President and members.
9. Meetings of Institute.
10. Governing Body and other committees of Institute.
11. Staff of Institute.
12. Objects of Institute.
13. Functions of Institute.
14. Vesting of property.
15. Payment to Institute.
16. Fund of Institute.
17. Budget of Institute.
18. Accounts and audit.
19. Annual report.
20. Pension and provident funds.
21. Authentication of orders and instruments of Institute.
22. Acts and proceedings not to be invalidated by vacancies, etc.
23. Grant of medical degrees, diplomas, etc., by Institute.
24. Recognition of medical qualifications granted by Institute.
25. Control by Central Government.
26. Disputes between Institute and Central Government.
27. Returns and information.
28. Transfer of service of existing employees.
29. Continuance of facilities at Institute.
30. Power to remove difficulties.
31. Power to make rules.
32. Power to make regulations.
33. Rules and regulations to be laid before Parliament.

The Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Act, 1980

**AN
ACT**

to declare the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, in the State of Kerala, to be an institu-

tion of national importance and to provide for its incorporation and matters connected therewith.

Be it enacted by Parliament in the Thirty-first Year of the Republic of India as follows:—

1. Short title and commencement.— (1) This Act may be called the Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, Act, 1980.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. Declaration of the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, as an institution of national importance.— Whereas the objects of the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, in the State of Kerala, are such as to make the institution one of national importance, it is hereby declared that the institution, known as the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, is an institution of national importance.

3. Definitions.— In this Act, unless the context otherwise requires,—

(a) "Chairman" means the Chairman of the Governing Body;

(b) "Director" means the Director of the Institute;

(c) "Fund" means the Fund of the Institute referred to in section 16;

(d) "Governing Body" means the Governing Body of the Institute;

(e) "Institute" means the institution known as the Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, incorporated under this Act;

(f) "member" means a member of the Institute;

(g) "President" means the President of the Institute;

(h) "regulation" means a regulation made by the Institute;

(i) "rule" means a rule made by the Central Government.

4. Incorporation of Institute.— The Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, is hereby constituted a body corporate by the name of Sree Chitra Tirunal Institute for Medical Sciences and Technology, Trivandrum, and as such body corporate, it shall have perpetual succession and a common seal with power, subject to the provisions of this Act, to acquire, hold and dispose of property and to contract, and shall, by that name, sue and be sued.

5. Composition of Institute.— The Institute shall consist of the following members, namely:—

(a) the Vice-Chancellor of the Kerala University, *ex officio*;

(b) the Director-General of Health Services, Government of India, *ex officio*;

(c) the Director, *ex officio*;

(d) four members to be nominated by the Central Government to represent respectively the Departments or, as the case may be, Ministries of that Government dealing with Science and Technology, Health, Finance and Education;

(e) two members to be nominated by the Government of the State of Kerala to represent respectively the Departments or, as the case may be, Ministries of that Government dealing with Planning, Science and Technology and Health;

(f) three scientists of whom two shall be medical scientists and one shall be a social scientist, to be nominated by the Central Government in the manner prescribed by rules;

(g) three scientists representing engineering and technology to be nominated by the Central Government in the manner prescribed by rules;

(h) the Head of the Biomedical Technology Wing of the Institute, *ex officio*;

(i) three representatives of the medical faculties of Indian Universities to be nominated by the Central Government in the manner prescribed by rules; and

(j) three members of Parliament of whom two shall be elected from among themselves by the members of the House of the People and one from among themselves by the members of the Council of States.

6. Term of office of and vacancies among members.—(1) Save as otherwise provided in this section, the term of office of a member shall be five years from the date of his nomination or election.

(2) The term of office of a member elected under clause (j) of section 5 shall come to an end as soon as he ceases to be a member of the House from which he was elected.

(3) The term of office of an *ex officio* member shall continue so long as he holds the office by virtue of which he is such a member.

(4) The term of office of a member nominated or elected to fill a casual vacancy shall continue for the remainder of the term of the member in whose place he is nominated or elected.

(5) An outgoing member other than a member elected under clause (j) of section 5 shall, unless the Central Government otherwise directs, continue in office until another person is nominated as a member in his place.

(6) An outgoing member shall be eligible for re-nomination or re-election.

(7) A member may resign his office by writing under his hand addressed to the Central Government but he shall continue in office until his resignation is accepted by that Government.

(8) The manner of filling vacancies among members shall be such as may be prescribed by rules.

7. President of Institute.—(1) There shall be a President of the Institute who shall be nominated by the Central Government from among the members other than the Director.

(2) The President shall exercise such powers and discharge such functions as are laid down in this Act or as may be prescribed by rules or regulations.

8. Allowances of President and members.—The President and other members shall receive such allowances, if any, from the Institute as may be prescribed by rules.

9. Meetings of Institute.—The Institute shall hold its first meeting at such time and place as may be appointed by the Central Government and shall observe such rules of procedure in regard to the transaction of business at the first meeting as may be laid down by that Government; and thereafter the Institute shall meet at such times and places and observe such rules of procedure in regard to the transaction of business at its meetings as may be prescribed by regulations.

10. Governing Body and other committees of Institute.—(1) There shall be a Governing Body of the Institute which shall be constituted by the Institute in such manner as may be prescribed by regulations:

Provided that the number of persons who are not members of the Institute shall not exceed one-third of the total membership of the Governing Body.

(2) The Governing Body shall be the Executive Committee of the Institute and shall exercise such powers and discharge such functions as the Institute may, by regulations made in this behalf, confer or impose upon it.

(3) The President shall be the Chairman of the Governing Body and as Chairman thereof shall exercise such powers and discharge such functions as may be prescribed by regulations.

(4) The procedure to be followed in the exercise of its powers and discharge of its functions by the Governing Body, and the term of office of, and the manner of filling vacancies among, the members of the Governing Body shall be such as may be prescribed by regulations.

(5) Subject to such control and restrictions as may be prescribed by rules, the Institute may constitute as many standing committees and as many *ad hoc* committees as it thinks fit for exercising any power or discharging any function of the Institute or for inquiring into, or reporting or advising upon, any matter which the Institute may refer to them.

(6) The Chairman and members of the Governing Body and Chairman and members of a standing committee or an *ad hoc* committee shall receive such allowances, if any, as may be prescribed by regulations.

11. Staff of Institute.—(1) There shall be a chief executive officer of the Institute who shall be designated as the Director of the Institute and shall, subject to such rules as may be made in this behalf, be appointed by the Institute:

Provided that the first Director of the Institute shall be appointed by the Central Government.

(2) The Director shall act as the Secretary to the Institute as well as the Governing Body.

(3) The Director shall exercise such powers and discharge such functions as may be prescribed by regulations or as may be delegated to him by the Institute or the President or by the Governing Body or the Chairman.

(4) Subject to such rules as may be made in this behalf, the Institute may appoint such number of other officers and employees as may be necessary for the exercise of its powers and discharge of its functions and may determine the designations and grades of such other officers and employees.

(5) Subject to such rules as may be made in this behalf, the Director and other officers and employees of the Institute shall be entitled to such salary and allowances and shall be governed by such conditions of service in respect of leave, pension, gratuity, provident fund and other matters as may be prescribed by regulations made in this behalf.

12. Objects of Institute. — The objects of the Institute shall be —

(a) to promote biomedical engineering and technology;

(b) to provide and demonstrate high standards of patient care in advanced medical specialities; and

(c) to develop post-graduate training programmes of the highest quality in advanced medical specialities and biomedical engineering and technology.

13. Functions of Institute. — With a view to the promotion of the objects specified in section 12, the Institute may, —

(a) provide for post-graduate teaching in the science of modern medicine and other allied sciences, including physical and biological sciences;

(b) provide facilities for research in the various branches of such sciences;

(c) conduct experiments in integrated methods of post-graduate medical and technological education in order to arrive at satisfactory standards of such education;

(d) prescribe courses and curricula for post-graduate studies;

(e) provide for post-graduate teaching and training in biomedical sciences and technology;

(f) notwithstanding anything contained in any other law for the time being in force, establish and maintain —

(i) one or more well equipped hospitals, and

(ii) one or more centres for research and development in biomedical technology;

(g) hold examinations and grant such degrees, diplomas and other academic distinctions and titles in post-graduate medical education and biomedical technology as may be laid down in the regulations;

(h) institute and appoint persons to professorships, readerships, lecturerships and posts of any description in accordance with the regulations;

(i) receive grants from the Governments and gifts, donations, benefactions, bequests and transfers of properties, both movable and immovable, from donors, benefactors, testators or transferors, as the case may be;

(j) deal with any property belonging to, or vested in, the Institute in any manner which is considered necessary for promoting the objects specified in section 12;

(k) demand and receive such fees and other charges as may be prescribed by regulations; and

(l) do all other acts and things as may be necessary to further the objects specified in section 12.

14. Vesting of property. — All properties which had vested in the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, immediately before the commencement of this Act, shall, on and from such commencement, vest in the Institute.

15. Payment to Institute. — The Central Government may, after due appropriation made by Parliament by law in this behalf, pay to the Institute in each financial year such sums of money and in such manner as may be considered necessary by that Government for the exercise of its powers and discharge of its functions under this Act.

16. Fund of Institute. — (1) The Institute shall maintain a Fund to which shall be credited —

(a) all moneys provided by the Central Government and the Government of Kerala;

(b) all fees and other charges received by the Institute;

(c) all moneys received by the Institute by way of grants, gifts, donations, benefactions, bequests or transfers; and

(d) all moneys received by the Institute in any other manner or from any other source.

(2) All moneys credited to the Fund shall be deposited in such banks or invested in such manner as the Institute may, with the approval of the Central Government, decide.

(3) The Fund shall be applied towards meeting the expenses of the Institute including expenses incurred in the exercise of its powers and discharge of its functions under section 13.

17. Budget of Institute. — The Institute shall prepare, in such form and at such time every year, as may be prescribed by rules, a budget in respect of the financial year next ensuing showing the estimated receipts and expenditure of the Institute and shall forward to the Central Government such number of copies thereof as may be prescribed by rules.

18. Accounts and audit. — (1) The Institute shall maintain proper accounts and other relevant records and prepare an annual statement of accounts including the balance-sheet in such form as the Central Government may, by rules, prescribe and in accordance with such general directions as may be issued by that Government, in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the Institute shall be audited by the Comptroller and Auditor-General of India and any expenditure incurred by him in connection with such audit shall be payable by the Institute to the Comptroller and Auditor-General of India.

(3) The Comptroller and Auditor-General of India and any person appointed by him in connection with the audit of the accounts of the Institute shall have the same rights, privileges and authority in connection with such audit as the Comptroller and Auditor-General of India has in connection with the audit of the Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect the offices of the Institute as well as of the institutions established and maintained by it.

(4) The accounts of the Institute as certified by the Comptroller and Auditor-General of India or any other person appointed by him in this behalf together with the audit report thereon shall be forwarded annually to the Central Government and that Government shall cause the same to be laid before both Houses of Parliament.

19. **Annual report.** — The Institute shall prepare for every year a report of its activities during that year and submit the report to the Central Government in such form and on or before such date as may be prescribed by rules and a copy of the report shall be laid, as soon as may be after it is received, before both Houses of Parliament.

20. **Pension and provident funds.** — (1) The Institute shall constitute for the benefit of its officers, teachers and other employees in such manner and subject to such conditions as may be prescribed by regulations, such pension and provident funds as it may deem fit.

(2) Where any such pension or provident fund has been constituted, the Central Government may declare that the provisions of the Provident Funds Act, 1925, shall apply to such fund as if it were a Government Provident Fund. 19 of 1925

21. **Authentication of orders and instruments of Institute.** — All orders and decisions of the Institute shall be authenticated by the signature of the President or any other member authorised by the Institute in this behalf, and all other instruments shall be authenticated by the signature of the Director or any other officer of the Institute authorised in like manner in this behalf.

22. **Acts and proceedings not to be invalidated by vacancies, etc.** — No act done or proceeding taken by the Institute, Governing Body or any standing or *ad hoc* committee under this Act shall be questioned on the ground merely of the existence of any vacancy in, or defect in the constitution of, the Institute, Governing Body or such standing or *ad hoc* committee.

23. **Grant of medical degrees, diplomas, etc., by Institute.** — Notwithstanding anything contained in any other law for the time being in force, the Institute shall have power to grant medical degrees, diplomas and other academic distinctions and titles under this Act.

24. **Recognition of medical qualifications granted by Institute.** — Notwithstanding anything contained in the Indian Medical Council Act, 1956, the medical degrees and diplomas granted by the Institute under this Act shall be recognised medical qualifications for the purposes of that Act and shall be deemed to be included in the First Schedule to that Act. 102 of 1956

25. **Control by Central Government.** — The Institute shall carry out such directions as may be issued to it from time to time by the Central Government for the efficient administration of this Act.

26. **Disputes between Institute and Central Government.** — If in, or in connection with, the exercise of its powers and discharge of its functions by the Institute under this Act, any dispute arises between the Institute and the Central Government, the decision of the Central Government on such dispute shall be final.

27. **Returns and information.** — The Institute shall furnish to the Central Government such reports, returns and other information as that Government may require from time to time.

28. **Transfer of service of existing employees.** — Subject to the provisions of this Act, every person who was employed in the Sree Chitra Tirunal Medical Centre Society for Advanced Studies in Specialities, Trivandrum, immediately before the commencement of this Act shall, on and from such commencement, become an employee of the Institute and shall hold his office or service therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to leave, pension, gratuity, provident fund and other matters as he would have held the same on the date of commencement of this Act if this Act had not been passed, and shall continue to do so unless and until his employment is terminated or until such tenure, remuneration and terms and conditions are duly altered by regulations:

Provided that the tenure, remuneration and terms and conditions of service of any such person shall not be altered to his disadvantage without the previous approval of the Central Government.

29. **Continuance of facilities at Institute.** — The Institute shall continue to provide facilities to the Government and people of the State of Kerala and the Central Government and such facilities shall not, in any respect, be less favourable to the said Governments and people than what were being provided to them before the commencement of this Act and shall be made available for such period and upon such terms and conditions (including those relating to any contributions to be made for the provision of such facilities) as may be agreed upon between the Institute the Government of the State of Kerala and the Central Government.

30. **Power to remove difficulties.** — If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, within a period of three years from the commencement of this Act, by order published in the Official Gazette, make such provisions or give such directions not inconsistent

with the provisions of this Act, as appears to it to be necessary or expedient for removing the difficulty.

31. Power to make rules. — (1) The Central Government, after consultation with the Institute, may, by notification in the Official Gazette, make rules to carry out the purposes of this Act:

Provided that consultation with the Institute shall not be necessary on the first occasion of the making of rules under this section, but the Central Government shall take into consideration any suggestions which the Institute may make in relation to the amendment of such rules after they are made.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely: —

(a) the manner of nomination of members under clauses (f), (g) and (i) of section 5;

(b) the manner of filling vacancies among members under section 6;

(c) the powers and functions to be exercised and discharged by the President under sub-section (2) of section 7;

(d) the allowances, if any, to be paid to the President and other members under section 8;

(e) the control and restrictions in relation to the constitution of standing and *ad hoc* committees under sub-section (5) of section 10;

(f) the appointment of the Director under sub-section (1) of section 11;

(g) the number of officers and employees that may be appointed by the Institute and the manner of such appointment under sub-section (4) of section 11;

(h) the salaries and allowances to be paid to the Director and other officers and employees of the Institute under sub-section (5) of section 11;

(i) the form in which, and the time at which, the budget shall be prepared by the Institute and the number of copies thereof to be forwarded to the Central Government under section 17;

(j) the form in which an annual statement of accounts including the balance-sheet shall be prepared by the Institute under sub-section (1) of section 18;

(k) the form in which and the date before which, the report of the activities of the Institute shall be submitted to the Central Government under section 19;

(l) the form and manner in which reports, returns and other information are to be furnished by the Institute to the Central Government under section 27;

(m) any other matter which has to be or may be prescribed by rules.

32. Power to make regulations. — (1) The Institute may, with the previous approval of the Central Government, make regulations consistent with this Act and the rules made thereunder to carry out the purposes of this Act, and without prejudice to the

generality of this power, such regulations may provide for —

(a) the powers and functions to be exercised and discharged by the President under sub-section (2) of section 7;

(b) the summoning and holding of meetings, other than the first meeting, of the Institute under section 9, the time and place where such meetings are to be held, the conduct of business at such meetings and the number of members necessary to form a quorum;

(c) the manner of constituting the Governing Body and standing and *ad hoc* committees under section 10, the term of office of, and the manner of filling vacancies among, the members of the Governing Body and standing and *ad hoc* committees;

(d) the powers and functions to be exercised and discharged by the Governing Body and the Chairman under sub-sections (2) and (3) of section 10;

(e) the allowances, if any, to be paid to the Chairman and the members of the Governing Body and of standing and *ad hoc* committees under sub-section (6) of section 10;

(f) the procedure to be followed by the Governing Body and standing and *ad hoc* committees in the conduct to their business, exercise of their powers and discharge of their functions under section 10;

(g) the powers and functions to be exercised and discharged by the Director under sub-section (3) of section 11;

(h) the tenure of office, salaries and allowances and other conditions of service of the Director and other officers and employees of the Institute including teachers appointed by the Institute under sub-section (5) of section 11;

(i) the management of the properties of the Institute under section 13;

(j) the degrees, diplomas and other academic distinctions and titles which may be granted by the Institute under clause (g) of section 13;

(k) the professorships, readerships, lectureships and other posts which may be instituted and persons who may be appointed to such professorships, readerships, lectureships and other posts under clause (h) of section 13;

(l) the fees and other charges which may be demanded and received by the Institute under clause (k) of section 13;

(m) the manner in which, and the conditions subject to which, pension and provident funds may be constituted for the benefit of officers, teachers and other employees of the Institute under sub-section (1) of section 20;

(n) matters relating to tenure of office, remuneration and terms and conditions of service of the persons referred to in section 28;

(o) any other matter for which under this Act provisions may be made by regulations.

(2) Notwithstanding anything contained in sub-section (1), the first regulations under this Act shall be made by the Central Government; and any regulations so made may be altered or rescinded by

the Institute in exercise of its power under sub-section (1).

33. Rules and regulations to be laid before Parliament.—Every rule and every regulation made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or regulation or both Houses agree that the rule or regulation should not be made, the rule or regulation shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule or regulation.

MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS

(Legislative Department)

New Delhi, the 22nd December, 1980/

Pausa 1, 1902 (Saka)

The following Act of Parliament received the assent of the President on the 20th December, 1980, and is hereby published for general information:—

The Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1980

No. 61 of 1980

[20th December, 1980]

An Act to amend the Public Premises (Eviction of Unauthorised Occupants) Act, 1971.

Be it enacted by Parliament in the Thirty-first Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1980.

2. Amendment of section 2.—In the Public Premises (Eviction of Unauthorised Occupants) Act, 1971 (hereinafter referred to as the principal Act), in section 2,—

(i) clause (a) shall be omitted, and for the words “corporate authority”, wherever they occur in the principal Act, the words “statutory authority” shall be substituted;

(ii) for clause (e), the following clause shall be substituted, namely:—

“(e) “public premises” means —

(1) any premises belonging to, or taken on lease or requisitioned by, or on behalf of, the Central Government,

and includes any such premises which have been placed by that Government, whether before or after the commencement of the Public Premises (Eviction of Unauthorised Occupants) Amendment Act, 1980, under the control of the Secretariat of either House of

Parliament for providing residential accommodation to any member of the staff of that Secretariat;

(2) any premises belonging to, or taken on lease by, or on behalf of,—

(i) any company as defined in section 3 of the Companies Act, 1956, in which not less than fifty-one per cent. of the paid-up share capital is held by the Central Government or any company which is a subsidiary (within the meaning of that Act) of the first-mentioned company,

1 of 1956.

(ii) any corporation (not being a company as defined in section 3 of the Companies Act, 1956, or a local authority) established by or under a Central Act and owned or controlled by the Central Government,

1 of 1956.

(iii) any University established or incorporated by any Central Act,

(iv) any Institute incorporated by the Institutes of Technology Act, 1961,

59 of 1961.

(v) any Board of Trustees constituted under the Major Port Trusts Act, 1963,

38 of 1963.

(vi) the Bhakra Management Board constituted under section 79 of the Punjab Reorganisation Act, 1966, and that Board as and when re-named as the Bhakra-Beas Management Board under sub-section (6) of section 80 of that Act; and

31 of 1960.

(3) in relation to the Union territory of Delhi,—

(i) any premises belonging to the Municipal Corporation of Delhi, or any municipal committee or notified area committee, and

(ii) any premises belonging to the Delhi Development Authority, whether such premises are in the possession of, or leased out by, the said Authority; ;

(iii) after clause (f), the following clause shall be inserted, namely:—

“(fa) “statutory authority”, in relation to the public premises referred to in clause (e) of this section, means,—

(i) in respect of the public premises placed under the control of the Secretariat of either House of Parliament, the Secretariat of the concerned House of Parliament,

(ii) in respect of the public premises referred to in item (i) of sub-clause (2) of that clause, the company or the subsidiary company, as the case may be, referred to therein,

(iii) in respect of the public premises referred to in item (ii) of sub-clause (2) of that clause, the corporation referred to therein,

(iv) in respect of the public premises referred to, respectively, in items (iii), (iv), (v)

and (vi) of sub-clause (2) of that clause, the University, Institute or Board, as the case may be, referred to therein, and

(v) in respect of the public premises referred to in sub-clause (3) of that clause, the Corporation, committee or Authority, as the case may be, referred to in that sub-clause;".

3. Amendment of section 3. — In section 3 of the principal Act,—

(i) in clause (a), the word "and", occurring at the end shall be omitted; and

(ii) to clause (a), the following provisos shall be added, namely:—

"Provided that no officer of the Secretariat of the Rajya Sabha shall be so appointed except after consultation with the Chairman of the Rajya Sabha and no officer of the Secretariat of the Lok Sabha shall be so appointed except after consultation with the Speaker of the Lok Sabha:

Provided further that an officer of a statutory authority shall only be appointed as an estate officer in respect of the public premises controlled by that authority; and".

4. Amendment of section 4. — In section 4 of the principal Act, in sub-section (2), for clause (b), the following clause shall be substituted, namely:—

"(b) require all persons concerned, that is to say, all persons who are, or may be, in occupation of, or claim interest in, the public premises,—

(i) to show cause, if any, against the proposed order on or before such date as is specified in the notice, being a date not earlier than seven days from the date of issue thereof, and

(ii) to appear before the estate officer on the date specified in the notice along with the evidence which they intend to produce in support of the cause shown, and also for personal hearing, if such hearing is desired."

5. Amendment of section 5. — In section 5 of the principal Act,—

(i) in sub-section (1), for the words "any evidence he may produce in support of the same and after giving him a reasonable opportunity of being heard", the words, brackets, letter and figures "any evidence produced by him in support of the same and after personal hearing, if any, given under clause (b) of sub-section (2) of section 4" shall be substituted;

(ii) in sub-section (2),—

(a) for the words, brackets and figure "within thirty days of the date of its publication under sub-section (1)", the words, brackets and figure "on or before the date specified in the said order or within fifteen days of the date of its publication under sub-section (1), whichever is later," shall be substituted;

(b) for the words "may evict that person", the words "may after the date so specified or after the expiry of the period aforesaid, whichever is later, evict that person" shall be substituted.

6. Insertion of new sections 5A and 5B. — After section 5 of the principal Act, the following sections shall be inserted, namely:—

"5A. Power to remove unauthorised constructions, etc. — (1) No person shall—

(a) erect or place or raise any building or other structure or fixture,

(b) display or spread any goods,

(c) bring or keep any cattle or other animal,

on, or against, or in front of, any public premises except in accordance with the authority (whether by way of grant or any other mode of transfer) under which he was allowed to occupy such premises.

(2) Where any building or other structure or fixture has been erected or any goods have been displayed or spread or any cattle or other animal has been brought on any public premises in contravention of the provisions of sub-section (1), the estate officer may serve upon the person erecting such building or other structure or fixture or displaying or spreading such goods or bringing such cattle or other animal on the public premises, a notice requiring him either to remove, or to show cause why he shall not remove, such building, other structure or fixture, or, as the case may be, such goods or cattle or other animal from the public premises within such period, not being less than seven days, as he may specify in the notice; and on the omission or refusal of such person either to show cause, or to remove such building or other structure or fixture, or, as the case may be, such goods or cattle or other animal from the public premises, or, where the cause shown is not in the opinion of the estate officer, sufficient, the estate officer may remove the building or other structure or fixture, or as the case may be, such goods or cattle or other animal from the public premises and recover the cost of such removal from the person aforesaid as an arrear of land revenue.

5B. Order of demolition of unauthorised construction. — (1) Where the erection of any building or execution of any work has been commenced, or is being carried on, or has been completed, on any public premises by any person in occupation of such public premises under an authority (whether by way of grant or any other mode of transfer), and such erection of building or execution of work is in contravention of, or not authorised by, such authority, then, the estate officer may, in addition to any other action that may be taken under this Act or in accordance with the terms of the authority aforesaid, make an order, for reasons to be recorded therein, directing that such erection or work shall be demolished by the person at whose instance the erection or work has been commenced, or is being carried on, or has been completed, within such period, as may be specified in the order, not being less than seven days, or more than fifteen days, from the date of publication of the order under sub-section (3):

Provided that no order under this sub-section shall be made unless the person concerned has been given, by means of a notice served in the prescribed manner, a reasonable opportunity of showing cause why such order should not be made.

(2) Where the erection or work has not been completed, the estate officer may, by the same order or by a separate order, whether made at the time of the issue of the notice under the proviso to sub-section (1) or at any other time, direct the person at whose instance the erection or work has been commenced, or is being carried on, to stop the erection or work until the expiry of the period within which an appeal against the order of demolition, if made, may be preferred under section 9.

(3) The estate officer shall cause every order made under sub-section (1), or, as the case may be, under sub-section (2), to be affixed on the outer door, or some other conspicuous part, of the public premises.

(4) Where no appeal has been preferred against the order of demolition made by the estate officer under sub-section (1) or where an order of demolition made by the estate officer under that sub-section has been confirmed on appeal, whether with or without variation, the person against whom the order has been made shall comply with the order within the period specified therein, or, as the case may be, within the period, if any, fixed by the appellate officer on appeal, and, on the failure of the person to comply with the order within such period, the estate officer or any other officer duly authorised by the estate officer in this behalf, may cause the erection or work to which the order relates to be demolished.

(5) Where an erection or work has been demolished, the estate officer may, by order, require the person concerned to pay the expenses of such demolition within such time, and in such number of instalments, as may be specified in the order."

7. Amendment of section 6. — In section 6 of the principal Act,—

(i) in sub-section (1), after the words and figure "Where any persons have been evicted from any public premises under section 5", the words, figure and letter "or where any building or other work has been demolished under section 5B" shall be inserted;

(ii) after sub-section (1), the following sub-sections shall be inserted, namely:—

"(1A) Where any goods, materials, cattle or other animal have been removed from any public premises under section 5A, the estate officer may, after giving fourteen days' notice to the persons owning such goods, materials, cattle or other animal and after publishing the notice in at least one newspaper having circulation in the locality, dispose of, by public auction, such goods, materials, cattle or other animal.

(1B) Notwithstanding anything contained in sub-sections (1) and (1A), the giving or publication of any notice referred to therein shall not be necessary in respect of any property which is subject to speedy and natural decay, and the estate officer may, after recording such evidence as he may think fit, cause such property to be sold or otherwise disposed of in such manner as he may think fit."

(iii) after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) The expression "costs", referred to in sub-section (2), shall include the cost of removal recoverable under section 5A and the cost of demolition recoverable under section 5B."

8. Amendment of section 7. — In section 7 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) While making an order under sub-section (1) or sub-section (2), the estate officer may direct that the arrears of rent or, as the case may be, damages shall be payable together with simple interest at such rate as may be prescribed, not being a rate exceeding the current rate of interest within the meaning of the Interest Act, 1978."

14 of 1978.

9. Amendment of section 9. — In section 9 of the principal Act,—

(i) in sub-section (1), for the word and figure "section 5", the words, figures and letter "section 5 or section 5B" shall be substituted;

(ii) in sub-section (2),—

(a) in clause (a), for the words "within fifteen days", the words "within twelve days" shall be substituted;

(b) in clause (b), for the words and figure "under section 7, within fifteen days", the words, figures and letter "under section 5B or section 7, within twelve days" shall be substituted;

(c) in the proviso, for the words "said period of fifteen days", the words "said period" shall be substituted;

(iii) to sub-section (3), the following proviso shall be added, namely:—

"Provided that where the construction or erection of any building or other structure or fixture or execution of any other work was not completed on the day on which an order was made under section 5B for the demolition or removal of such building or other structure or fixture, the appellate officer shall not make any order for the stay of enforcement of such order, unless such security, as may be sufficient in the opinion of the appellate officer, has been given by the appellant for not proceeding with such construction, erection or work pending the disposal of the appeal."

10. Amendment of section 13. — In section 13 of the principal Act,—

(i) in sub-section (1), after the words "for the assessment of damages", the words "or for the determination of the amount payable by way of interest on such arrears of rent or damages" shall be inserted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Where any person from whom any cost of removal of any building or other structure or fixture, or, as the case may be, any goods, cattle or other animal is to be re-

covered under sub-section (2) of section 5A, or any expenses of demolition are to be recovered under sub-section (5) of section 5B, dies before any proceeding is taken for the recovery of such cost or during the pendency thereof, the proceeding may be taken or, as the case may be, continued against the heirs or legal representatives of that person.”;

(iii) in sub-section (2), for the words “rent or damages or costs”, the words, figures, letters and brackets “rent or damages or costs of removal referred to in section 5A or expenses of demolition referred to in section 5B or interest referred to in sub-section (2A) of section 7 or any other cost” shall be substituted.

11. Amendment of section 14.— In section 14 of the principal Act,—

(a) after the words “fails to pay”, the words, brackets, figures and letter “the expenses of demolition payable under sub-section (5) of section 5B or” shall be inserted;

(b) after the words, brackets and figure “payable under sub-section (2)”, the words, brackets, figure and letter “or the interest determined under sub-section (2A)” shall be inserted;

(c) for the words “portion of such rent, damages”, the words “portion of such rent, damages, expenses, interest” shall be substituted.

12. Substitution of new section for section 15.— For section 15 of the principal Act, the following section shall be substituted, namely:—

“15. Bar of jurisdiction.— No court shall have jurisdiction to entertain any suit or proceeding in respect of —

(a) the eviction of any person who is in unauthorised occupation of any public premises, or

(b) the removal of any building, structure or fixture or goods, cattle or other animal from any public premises under section 5A, or

(c) the demolition of any building or other structure made, or ordered to be made, under section 5B, or

(d) the arrears of rent payable under sub-section (1) of section 7 or damages payable under sub-section (2), or interest payable under sub-section (2A), of that section, or

(e) the recovery of —

(i) costs of removal of any building, structure or fixture or goods, cattle or other animal under section 5A, or

(ii) expenses of demolition under section 5B, or

(iii) costs awarded to the Central Government or statutory authority under sub-section (5) of section 9, or

(iv) any portion of such rent, damages, costs of removal, expenses of demolition or

costs awarded to the Central Government or the statutory authority.”.

13. Amendment of section 18.— In section 18 of the principal Act,—

(i) in sub-section (2), after clause (e), the following clause shall be inserted, namely:—

“(ea) the rate at which interest shall be payable on arrears of rent specified in any order made under sub-section (1) of section 7, or damages assessed under sub-section (2) of that section;”;

(ii) in sub-section (3), for the words “in two successive sessions, and if, before the expiry of the session in which it is so laid or the session immediately following,” the words “in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid,” shall be substituted.

R. V. S. PERI SASTRI,
Secy. to the Govt. of India.

Notification

10/46/80-LGL.

In exercise of the powers conferred by sub-section (2) of section 294 of the Code of Criminal Procedure, 1973 (Central Act 2 of 1974), the Government of Goa, Daman and Diu hereby prescribes the following form for the purposes of the said section 294, namely:—

“FORM

[See section 294(2) of the Code of Criminal Procedure, 1973]

List of Documents as required under Section 294 of the Code of Criminal Procedure, 1973.

In the Court of _____ at _____
Complainant/Applicant

Versus

_____ Accused/Opponent.

The following documents are filed by the Complainant/Applicant/Accused/Opponent.

Sr. No.	Description of the document	Date of the document	Remarks
1.	2.	3.	4.

Place:

Signature of the person
presenting the list of documents.”

By order and in the name of the Administrator
of Goa, Daman and Diu.

R. V. Durbhatkar, Under Secretary (Law).

Panaji, 26th May, 1981.